

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007069

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-12 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 1-6 _____ received by this Authority on /filed with the demand
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/3-3/3 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

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|-------------------------------|-------------------|-----|
| Novelty (N) | Claims <u>1-6</u> | YES |
| | Claims _____ | NO |
| Inventive step (IS) | Claims <u>1-6</u> | YES |
| | Claims _____ | NO |
| Industrial applicability (IA) | Claims <u>1-6</u> | YES |
| | Claims _____ | NO |

2. Citations and explanations (Rule 70.7)

The subject matter of claim 1 is regarded as novel and inventive under the PCT for the following reasons.

A method of producing a hole in hollow profiles according to the preamble of claim 1 as known from **WO-A-01/60544 (D1)** is considered to be the closest prior art. In this method (figures 5 and 6 and the corresponding description), first a hole is produced in the hollow profile, then a pipe piece is inserted into the interior of the hollow profile and finally the hole edges of the hollow profile are deformed in such a way that the pipe piece is securely held or connected to the hollow profile.

The subject matter of claim differs from this prior art in that a hole is produced in the hollow profile by means of two opposing punches cooperating with a lower die.

The problem to be solved can be regarded as that of increasing the precision of the entire method. The combination of characterizing features makes it possible to produce holes of precise dimension, as a result of which the length of the pipe piece can be better adapted

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to the inner dimensions of the hollow profile and the precision of the subsequent hydroforming process is increased.

D1 provides either a simpler process for prepunching holes using hydroforming (page 6, lines 1-3) or no prepunching (page 6, lines 4-6).

The other available documents do not go beyond the disclosure in D1.

The remaining claims are dependent on claim 1 and therefore also meet the requirements of PCT Article 33.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The description is not in line with the claims (PCT Rule
5.1(a)(iii)).